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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.										
10/764,914	01/26/2004	Andreas Sibrai	DS03-005B	3363										
7590 STEPHEN B. ACKERMAN 28 DAVIS AVENUE POUGHKEEPSIE, NY 12603		<table border="1"><tr><td>EXAMINER</td></tr><tr><td>NGUYEN, HIEP</td></tr><tr><td>ART UNIT</td><td>PAPER NUMBER</td></tr><tr><td colspan="2">2816</td></tr><tr><td>MAIL DATE</td><td>DELIVERY MODE</td></tr><tr><td colspan="2">06/04/2007 PAPER</td></tr></table>			EXAMINER	NGUYEN, HIEP	ART UNIT	PAPER NUMBER	2816		MAIL DATE	DELIVERY MODE	06/04/2007 PAPER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/764,914	SIBRAI ET AL.
	Examiner Hiep Nguyen	Art Unit 2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 21 March 2007.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-23,26-28 and 30-52 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-23,26-28 and 30-52 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 26 January 2004 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-23, 26-28, 30-52 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Correction and/or clarification is required.

Regarding claims 1, 17 and 26, the recitation “a circuit to individually provide input and output reference levels for each of said capacitor switching stages, building the input reference levels and the output reference levels for each of said translinear amplifiers, comprised within said capacitor switching stages” is indefinite because it is confusing. Figure 10b of the present application shows that circuit (Temp-Comp) only generates a reference signal (Vref) as input to the translinear amplifiers. Figure 10b does not show that circuit (Temp-Comp) provides “input and output reference levels”. Circuit (Temp-comp) also does not build “the input reference levels and the output reference levels for each of said translinear amplifiers”. Clear explanation is required.

Regarding claim 26, the recitation “a circuit to compensate the temperature deviation of said switching device, and implemented within said circuit to control the switching operation” on lines 16-18 is indefinite because it is not clear this circuit is the same or different than the “a circuit to individually provide input and output reference levels for....” on lines 19-22. The Applicant is requested to point out in the drawing these two separate circuits.

Regarding claim 33, the recitation “and a circuit to individually input and output reference levels for each of said capacitor switching stages, an input signal, dependent on the tuning voltage, dedicated for the voltage controlled capacitance change and provided to all of said capacitor switching stages; providing an individual input and output reference levels for each individual capacitor switching stage” on lines 11-17 is indefinite because it is confusing. Figure 1-b shows that circuit (Temp-Comp) provides only a reference signal (Vref) as input to

all the translinear amplifiers. The recitation “said signal” on line 18 is indefinite because it is not clear as to this “said signal” is the same or different than the “input signal” on line 13. The recitation “said signal” lacks antecedent basis. The recitation “said input reference” on line 21 lacks antecedent basis. The recitation “the linear control signal” on line 22 is indefinite because it is not clear as to this “the linear control signal” is the same or different than the “input signal” on line 13 and “said signal” on line 18. The recitation “with increasing/decreasing share” is indefinite because it is not clear what it is meant by.

Regarding claim 43, the recitation “to a translinear amplifier, a circuit to take over control of said switching device to drive it to a fully-on status, when said switching device operates outside its steady ramp-up/ramp-down area on said switching device's low resistance side as well as a circuit to take over control of said switching device to drive it to a fully-off status, when said switching device is beyond its steady ramp-up/ramp-down area on said switching device's high resistance side” on lines 13- 18 is indefinite because it is misdescriptive. Figure 9 of the present application shows only a circuit comprising translinear amplifiers that drive the switching devices (Sw1-Swn). Clear explanation is required. The recitation “an input signal” on line 20 is indefinite because it is misdescriptive. Figure 9 shows that there are multiple “input signals” for controlling the switches (Sw1-Swn). The recitation “and a circuit to individually provide input and output reference levels for each of said capacitor switching stages” on lines 18-20 is indefinite because it is misdescriptive. Assume that this circuit is the voltage divider (R1-Rn). This circuit only provides output reference values for the translinear amplifier. Clear explanation is required. The recitation “said circuit” on line 25 lacks antecedent basis. The recitation “the linear control signal on lines 29 lacks antecedent basis. The recitation “with increasing / decreasing share” is indefinite because it is not clear what it is meant by.

Regarding claim 47, recitation “ and a circuit to individually input and output reference levels for each of said capacitor switching stages, an input signal, dependent on the tuning voltage, dedicated for the voltage controlled capacitance change and provided to all of said capacitor switching stages; providing an individual input and output reference levels for each individual capacitor switching stage” on lines 10-14 is indefinite because it is confusing. Figure 1-b shows that circuit (Temp-Comp) provides only a reference signal (Vref) as input to

Art Unit: 2816

all the translinear amplifiers. The recitation "said signal" on lines 17 lacks antecedent basis. The recitation "the linear control signal" on line 21 lacks antecedent basis. The recitation "compensating the temperature deviation of said switching device, using said circuit to compensate the temperature deviation of said switching device" on lines 28 and 29 is indefinite because it is misdescriptive. As understood by the examiner, "the circuit" in the claim is the voltage divider that is recited on line 10 –12. The "said circuit" on line 28-29 is a different circuit. This is circuit (Temp-Comp) that compensates the temperature deviation of said switching device.

Claims 2-16, 18-23, 26-28, 30-32, 34-42 and 44-46 are indefinite because of the technical deficiencies of claims 1, 17, 26, 33, 43 and 47.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hiep Nguyen whose telephone number is (571) 272-1752. The examiner can normally be reached on Monday to Friday from 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Callahan can be reached on (571) 272-1740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hiep Nguyen

05-25-07



TUAN T. LAM  
PRIMARY EXAMINER

